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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

SAN FRANCISCO TECHNOLOGY, INC.,)	No. C 10-966 JF
Plaintiff,)	
v.)	STIPULATION AND PROPOSED
THE GLAD PRODUCTS COMPANY,)	ORDER EXTENDING TIME FOR THE
Defendant.)	UNITED STATES TO INTERVENE
	Hon. Jeremy Fogel

The parties, along with the United States of America, stipulate to the following request made by counsel for the United States of America to obtain an additional 30 days in which to intervene to defend the constitutionality of 35 U.S.C. § 292 in this case. Federal Rule of Civil Procedure 5.1(c) gives the Court the power to grant this additional time as it states, in relevant part, “[u]nless the court sets a later time, the attorney general may intervene within 60 days after the notice is filed or after the court certifies the challenge, whichever is earlier.” The current deadline for moving to intervene is February 14, 2011, and counsel for the United States needs the requested additional time in order to obtain the necessary approval from the Solicitor General’s office to intervene in this action. Counsel for Plaintiff and Defendant have agreed that this limited extension of time is acceptable.

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1 Dated: February 3, 2011

Respectfully submitted,

2 MELINDA HAAG

3 United States Attorney

4 _____/s/ Michael T. Pyle_____
5 MICHAEL T. PYLE
6 Assistant United States Attorney
Attorney for United States of America

7 Dated: February 3, 2011

MOUNT, SPELMAN & FINGERMAN, P.C.

8 _____/s/ Daniel H. Fingerman_____
9 Counsel for San Francisco Technology, Inc.

10 Dated: February 3, 2011

FARELLA BRAUN MARTEL

11 _____/s/ Roderick Manley Thompson_____
12 Counsel for The Glad Products Company

13 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

14 The Court, having considered the stipulation of the parties and the United States, orders
15 that the United States shall have until March 16, 2011 to file a motion to intervene in this case to
16 defend the constitutionality of 35 U.S.C. § 292 in this case.

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18 DATED: February 4, 2011


19 HONORABLE JEREMY FOGEL
20 U.S. DISTRICT COURT JUDGE
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